

JUL 31 2005

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10727.264
	Filing Date	12/03/2003
	First Named Inventor	Abdelrahman
	Art Unit	3811
	Examiner Name	Royal, Paul
Total Number of Pages In This Submission		Attorney Docket Number 3041-101

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	The Law Office of Jessica Costa	
Signature	<i>Jessica Costa</i>	
Printed name	Jessica Costa	
Date	7-31-05	Reg. No. 41,065

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
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US Patent Application Serial No. 10/727,254  
Reply to Office Action Dated 5-31-2005

JUL 31 2005

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

PATENT APPLICATION:  
Serial No. 10/727,254

ORIGINALLY FILED:  
12/03/2003

FOR:  
A Low Cost Versatile Message  
Board with Advertising Space

INVENTOR: Abdelrahman

GROUP ART UNIT: 3611

EXAMINER: Royal, Paul

DOCKET NUMBER: 3034-001

**RESPONSE TO RESTRICTION REQUIREMENT MAILED MAY 31, 2005**

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on May 31, 2005, the Applicant elects Species III, which corresponds to the species shown in FIGS. 9-12 **with traverse** and withdraws Species I and II and IV through VII from further consideration in the present application.

First, in the interest of equity and fairness, Applicant should be entitled to pursue claims that will fully protect the invention. It is believed that the restriction requirement is therefore unfair to the Applicant because it will require the Applicant to file and bear the additional cost associated with filing additional divisional application. Restriction requirement to election of species where is within the Examiner's discretion, and the Applicant respectfully requests the Examiner to consider that the Applicant in the present invention is an independent inventor with limited means.

Second, as provided in 35 U.S.C. § 121, restriction to one of two or more

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patentably distinct species is proper only if the species are "independent and distinct." In its discussion of the propriety of restrictions, MPEP § 803 further provides that if search and examination of two or more inventions can be made without "serious burden", the Examiner must examine them on the merits even if the claim are directed to distinct or independent inventions.

In the present case, Species I through VII, although not necessarily obvious in view of each other, are very similar subject matter. More specifically, each pertains to a message board for persistently displaying a selected set of messages, said message board comprising a plurality of surfaces rotatably connected around one or more axes, a plurality of messages distributed on one or more of said surfaces, and one or more windows formed in one or more of said surfaces for selectively revealing one or more subsets of said plurality of messages for persistent display, wherein said selected one or more subsets of said plurality of messages may be changed to persistently display a different one or more subsets of said plurality of messages, and each includes similar structure thereof. It is respectfully believed that the Examiner will necessarily search in both the relevant structure and method of manufacturing areas during the search of each set of claims directed to each species. Furthermore, for at least the reasons that each of Species I through VII will be classified in the same class for purposes of search and that each of Species I through VII contain substantial portions of overlapping subject matter, Applicant respectfully submits that examination of the claims encompassing each of the Species I through VII would not impose a "serious burden" on the Examiner as defined in MPEP § 803 and that the restriction requirement should therefore be withdrawn.

For at least the foregoing reasons, Applicant respectfully traverses the restriction requirement and respectfully requests the Examiner to examine all claims together. However, if the Examiner decides not to rejoin the Species, Applicant expressly reserves the right to consideration of claims to additional species that are written in dependent form or otherwise include all of the limitations of an allowed generic claim upon allowance of a generic claim pursuant to 37 C.F.R. § 1.141. Furthermore, Applicant expressly reserves the

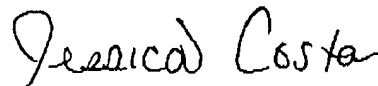
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right to present claims directed to the non-elected Species, or variants thereof, in a divisional or continuing application to be filed subsequent to the present application. Should the Examiner have any questions regarding this response, the Examiner is invited to call the undersigned.

Respectfully submitted,

July 29, 2005



Jessica Costa, Reg. No. 41,065

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